

4. The invention defined in claim 2 wherein said arcuate ramp surface portion makes an angle to about 120° - 130° to a surface being plowed.

5. A plowed material snow catcher device, said plowed material snow catcher device having a mounting structure for mounting below a central vertical pivot of a pivoted plow assembly and an arcuate ramp surface portion projection of the mounting assembly for directing plowed material to the right and to the left thereof, said ramp surface portion being arcuate and generally conically shaped and making an angle of between 120° - 130° to the surface being plowed.

6. A plowed material catcher defined in Claim 5 including a key hole for receiving a key pin which prevents rotation of said plowed material snow catcher device.

Note that Claim 1 relates to a V-blade plow having a pair of adjustable plow blades with inner ends hinged on a central pivot assembly. This is not the case of any of the references cited. The "improvement" clause requires a plowed material catcher member mounted "below said central pivot assembly to prevent a trail of plowed material from passing through any space between the inner ends of the blades at any position of blade adjustment." Claim 2 requires that the catcher member includes an arcuate ramp surface portion which projects forwardly of the central pivot assembly. Claim 3 is a material claim, and Claim 4 specifies that the arcuate ramp portion makes an angle of about 120° - 130° to the surface being plowed. Manifestly, this is not the case of Weeks. In Weeks, the snow plow blades are fixed, and there is no central pivot on which the plowed material catcher can be mounted. Moreover, in Weeks, the triangular gap created by the bevels 38 in the blades is filled by a low triangular plow member 56 which has

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triangular sides 58 joined to the sides of a pyramid. Thus, this does not meet and satisfy any aspect of applicant's claim.

In Black, again, the blades are not pivoted as claimed. Note:

A is the point of the plow, having the vertical or laud side and the diverging or concave side with the cross-bars B B all cast in one. The vertical recess a (seen in Fig. 2) serves to receive the forward end of the side wall C of the plow, which fits in flush and may there be bolted to the point, the beam D then extending along the face of the point and side wall and secured to both.

The adjustable wing E, which regulates the width of path cleared by the plow, has at its front end projecting lugs F, fitting upon and between the cross-bars B of the point A, and both are perforated, as shown in Fig. 2, to receive a vertical or pints G, Fig. 1, which completes a hinge upon which the wing swing horizontally or by which the front end of the wing is secured.... (Black, page 1, right column, lines 77-94.)

Thus, there is no pair of adjustable plow blades having inner ends hinged on a central pivot assembly with the improvement comprising a plowed material catcher member mounted below the said central pivot assembly to prevent a trail of plowed material from passing through any space between the inner ends of the blades at any position of blade adjustment as called for in Claims 1 and 5 of the present invention. There obviously is no arcuate ramp surface in Black, and there is no arcuate ramp surface portion making an angle of about 120° - 130° to a surface being plowed as recited in Claim 4 of the present invention.

In Cox a nose piece D is pivoted about a horizontal axis "a" (shown in Figure 2) which is pivoted into the position shown in solid lines in Figure 2. When the nose piece D is pivoted upwardly and out of the blade out of position, and one blade pivoted is

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shown in position in dotted lines in Figure 1, the nose piece is totally out of a plowing position. Hence, this is no teaching or suggestion of applicant's invention.

In Beck, the nose of the plow is described in the following words:

Disposed centrally in the frame is a forwardly inclined brace beam 21 and secured to the forward vertically disposed end of the frame by means of suitable bolt members 22 is a vertically disposed post 23 having a forwardly extending substantially triangular shaped foot 24 at its lower end to provide a suitable nose for the plow. Secured to the post 23 on the forward side thereof and disposed vertically above the nose 24 is a substantially triangular shaped post 25 retained on post 23 by means of bolts 26, it will be seen that this construction provides an efficient plow point as clearly illustrated in Fig. 5. (Page 1, left right column, lines 98-112, emphasis added.)

As further described in Beck:

The meeting faces of the two posts 23 and 24, are provided at their opposite sides with inwardly extending vertically disposed sockets which, pivotally and loosely receive the bent end 26 of the plow blades. (Page 2, left column, first full sentence.)

Thus, there is no central pivot assembly and a plowed material catcher member mounted below said central pivot assembly to prevent a trail of plowed material from passing through any space between the inner ends of said blades at any position of blade adjustment. Moreover, there is no arcuate ramp portion projecting forwardly of the central pivot assembly and directing snow to the blades respectively; and, accordingly, there is no arcuate ramp surface portion making an angle of about 120° - 130° to a surface being plowed.

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Under 35 U.S.C. §102, each and every element of the claims must be contained in one anticipating patent or publication. *Applied Medical Resources Corporation v. U.S. Surgical Corporation*, 47 USPQ 2d at 1289 (Fed. Cir. 1998). In other words, anticipation requires that the prior art reference disclose expressly or inherently every limitation contained in the claim. *Rowe v. Dror*, 42 USPQ 2d, 550 (Fed. Cir. 1997). If any claim element or claimed element relationship is absent from the reference, there is no anticipation. In determining whether a claim construction is anticipated by the prior art, the claims must first be construed. *Kegel Company Inc. v. AMF Bowling Inc.*, 44 USPQ2d, 1123 (Fed. Cir. 1997).

It is clear that the snow catcher construction recited in applicant's claims is neither found nor taught or suggested by the art. Note that in applicant's claims, they specifically require a V-blade plow having a pair of adjustable plow blades with their inner ends hinged on a central pivot assembly with the improvement comprising a plowed material catcher member

...mounted below said central pivot assembly to prevent a trail of plowed material from passing through any space between the inner ends of said blades at any position of blade adjustment."

Claim 2 requires that the catcher member include an arcuate ramp surface portion projecting forwardly of the central pivot assembly, and Claim 4 requires that the arcuate ramp surface portion makes an angle to about 120° - 130° to a surface being plowed. Manifestly, none of the recited quoted portions of Claims 1, 3 and 4 are found

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in the references in a form or way of manner to anticipate the claims under 35 U.S.C. §102.

In view of the above, further and favorable reconsideration is respectfully requested.

Respectfully submitted,

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Attachment: Abstract of the Disclosure

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In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.

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